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A C T S

OF

THE CONGRESS OF THE UNITED STATES

AND OF

THE LEGISLATURE OF CONNECTICUT

PERTAINING TO THE

NATIONAL GRANT OF PUBLIC LANDS

FOR THE PROMOTION OF SCIENTIFIC EDUCATION.



NEW HAVEN:

PRINTED FOR THE SHEFFIELD SCIENTIFIC SCHOOL.

1867.

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I.

"AN ACT donating Public Lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts." (Passed in the Second Session of the 37th Congress, and approved July 2, 1862.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be granted to the several States, for the purposes hereinafter mentioned, an amount of public land, to be apportioned to each State, a quantity equal to thirty thousand acres for each Senator and Representative in Congress to which the States are respectively entitled by the apportionment under the censns of eighteen hundred and sixty: *Provided,* That no mineral lands shall be selected or purchased under the provisions of this act.

SEC. 2. *And be it further enacted,* That the land aforesaid, after being surveyed, shall be apportioned to the several States in sections or subdivisions of sections, not less than one quarter of a section; and whenever there are public lands in a State subject to sale at private entry at one dollar and twenty-five cents per acre, the quantity to which said State shall be entitled shall be selected from such lands within the limits of such State, and the Secretary of the Interior is hereby directed to issue to each of the States in which there is not the quantity of public lands subject to sale at private entry at one dollar and twenty-five cents per acre, to which said State may be entitled under the provisions of this act, land scrip to the amount in acres for the deficiency of its distributive share; said scrip to be sold by said States, and the proceeds thereof applied to the uses and purposes prescribed in this act, and for no other use or purpose whatsoever: *Provided,* That in no case shall any State to which land scrip may thus be issued be allowed to locate the same within the limits of any other State, or of any Territory of the United States, but their assignees may thus locate said land scrip upon any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents, or less, per acre: *And provided further,* That not more than one million acres shall be located by such assignees in any one of the States: *And provided further,* That no such location shall be made before one year from the passage of this act.

SEC. 3. *And be it further enacted*, That all the expenses of management, superintendence, and taxes from date of selection of said lands, previous to their sales, and all expenses incurred in the management and disbursement of the moneys which may be received therefrom, shall be paid by the States to which they may belong, out of the treasury of said States, so that the entire proceeds of the sale of said lands shall be applied without any diminution whatever to the purposes hereinafter mentioned.

SEC. 4. *And be it further enacted*, That all moneys derived from the sale of the lands aforesaid by the States to which the lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States, or of the States, or some other safe stocks, yielding not less than five per centum upon the par value of said stocks; and that the moneys so invested shall constitute a perpetual fund, the capital of which shall remain for ever undiminished, (except so far as may be provided in section fifth of this act,) and the interest of which shall be inviolably appropriated, by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the Legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 5. *And be it further enacted*, That the grant of land and land scrip hereby authorized shall be made on the following conditions, to which, as well as to the provisions hereinbefore contained, the previous assent of the several States shall be signified by legislative acts:

First. If any portion of the fund invested, as provided by the foregoing section, or any portion of the interest thereon, shall, by any action or contingency, be diminished or lost, it shall be replaced by the State to which it belongs, so that the capital of the fund shall remain forever undiminished; and the annual interest shall be regularly applied without diminution to the purposes mentioned in the fourth section of this act, except that a sum, not exceeding ten per centum upon the amount received by any State under the provisions of this act, may be expended for the purchase of lands for sites or experimental farms, whenever authorized by the respective Legislatures of said States.

Second. No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings.

Third. Any State which may take and claim the benefit of the provisions of this act shall provide, within five years, at least not less than one college, as described in the fourth section of this act, or the grant to such State shall cease; and said State shall be bound to pay the United States the amount received of any lands previously sold, and that the title to purchasers under the State shall be valid.

Fourth. An annual report shall be made regarding the progress of each College, recording any improvements and experiments made, with their cost and results, and such other matters, including State industrial and economical statistics, as may be supposed useful; one copy of which shall be transmitted by mail free, by each, to all other colleges which may be endowed under the provisions of this act, and also one copy to the Secretary of the Interior.

Fifth. When lands shall be selected from those which have been raised to double the minimum price, in consequence of railroad grants, they shall be computed to the States at the maximum price, and the number of acres proportionally diminished.

Sixth. No State while in a condition of rebellion or insurrection against the Government of the United States shall be entitled to the benefit of this act.

Seventh. No State shall be entitled to the benefits of this act, unless it shall express its acceptance thereof by its Legislature within two years from the date of its approval by the President.

SEC. 6. *And be it further enacted*, That land scrip issued under the provisions of this act shall not be subject to location until after the first day of January, one thousand eight hundred and sixty-three.

SEC. 7. *And be it further enacted*, That the land officers shall receive the same fees for locating land scrip issued under the provisions of this act as is now allowed for the location of military bounty land warrants under existing laws: *Provided*, Their maximum compensation shall not be thereby increased.

SEC. 8. *And be it further enacted*, That the Governors of the several States to which scrip shall be issued under this act shall be required to report annually to Congress all sales made of such scrip until the whole shall be disposed of, the amount received for the same, and what appropriation has been made of the proceeds.

II.

"AN ACT appropriating to the Sheffield Scientific School of Yale College, the proceeds of lands assigned to the State by Act of Congress approved July 2, 1862." (Passed by the General Assembly of Connecticut, May Session, 1863, and approved June 24, 1863.)

Be it enacted by the Senate and House of Representatives in General Assembly convened:

SEC. 1. Whenever the Secretary of the Interior shall have issued to this State, the land scrip due to this State, under the act of Congress, entitled "An Act donating Public Lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts," it shall become the duty of the Commissioner of the School Fund to take charge of said scrip, and, as agent of this State, to sell the same so soon as in his judgment he can prudently do so, upon terms to be previously approved by the Governor, and in the name and behalf of this State, to convey and transfer the same in any suitable manner to the purchaser or purchasers thereof, and to invest the avails thereof in the manner specially prescribed by said act of Congress.

SEC. 2. Said Commissioner shall semi-annually pay over the interest of the Fund which may result from the sale of said scrip, to the President and Fellows of Yale College in New Haven, for the special purposes and upon the special conditions hereinafter set forth.

SEC. 3. Said Corporation shall devote said interest wholly and exclusively to the maintenance, in that department of Yale College known as the "Sheffield Scientific School," of such courses of instruction as (including the courses of instruction already instituted in said school,) shall carry out the intent of said act of Congress in the manner specially prescribed by the fourth section of said Act.

SEC. 4. Said Corporation shall furnish gratuitous education in said courses of instruction to pupils who shall be annually nominated to be pupils of said school, in such manner as the General Assembly shall prescribe. The number of pupils to be so received gratuitously into said school shall be, in each year, such a number as would expend a sum equal to one-half of the

said interest for the same year in paying for their instruction in said school if they were required to pay for it at the regular rates charged to other pupils of said school for the same year. Said pupils so nominated and received shall be citizens of this State, and shall be admitted into said school upon the same terms and subject to the same rules and discipline which shall apply to all other pupils of said school, with the single exception that they shall not be required to pay anything for their instruction.

SEC. 5. Said Corporation shall annually make and distribute the reports required by the fourth paragraph of section fifth of said act of Congress.

SEC. 6. No portion of said interest shall be paid over to said Corporation until said Corporation shall contract with this State, by its contract in writing, in such form as the Governor shall approve, to fulfill and perform all the duties and obligations imposed upon it by this Act.

SEC. 7. The Governor, the Lieutenant Governor, the three senior Senators, and the Secretary of the State Board of Education, shall constitute a Board of Visitors, whose duty it shall be to visit said school in each year, and report annually thereon to the General Assembly.

III.

“AN ACT relating to the Sheffield Scientific School.” (Passed by the General Assembly, May Session, 1864, and approved July 6, 1864.)

Be it enacted by the Senate and House of Representatives, in General Assembly convened:

SEC. 1. The visitors of the Sheffield Scientific School designated by the Act approved June 24, 1863, and entitled “An Act appropriating the Scrip for public lands granted to this State under the Act of Congress approved July 2, 1862,” to wit, the Governor, the Lieutenant Governor, the three senior Senators, and the Secretary of the State Board of Education, shall constitute, together with the Secretary of the Sheffield Scientific School, an appointing board, who shall select from such candidates as shall offer themselves, those who shall be entitled to receive the gratuitous instruction in said school, which has been provided for by the State in said act.

SEC. 2. In case there are more applications for the bounty of the State than there are vacancies to be filled on the part of the State, said board shall give the preference to such young men as are fitting themselves for agriculture and mechanical or manufacturing occupations in life, who are or shall become orphans through the death of a parent in the naval or military service of the United States; next to them to such as are most in need of pecuniary assistance; and furthermore, they shall provide that the appointments shall be distributed, as far as practicable, among the several counties of the State, in proportion to their population.

SEC. 3. The Secretary of said school shall also be the Secretary of said appointing board, and shall keep a record of their transactions; and he shall furthermore, at least one month before the close of each academic year in said school, caused to be published in at least one newspaper in every county of this state in which a newspaper may then be published, an advertisement specifying the number of pupils who by virtue of said act are entitled to be admitted into said school for gratuitous instruction during the ensuing academic year, and designating the time and manner in which applications may be made to said appointing board for admission to said school.

IV.

Part of an act of Congress approved July 28, 1866, providing that officers of the army may be attached to colleges.

§ 26. *And be it further enacted*, That for the purpose of promoting knowledge of military science among the young men of the United States, the President may, upon the application of an established College or University within the United States, with sufficient capacity to educate at one time not less than one hundred and fifty male students, detail an officer of the army to act as president, superintendent, or professor of such college or university: that the number of officers so detailed shall not exceed twenty at any time, and shall be appointed through the United States as nearly as practicable according to population, and shall be governed by general rules to be prescribed from time to time by the President.



